

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

John D. West, on Behalf Of Himself and All  
Other Persons Similarly Situated,  
214 Woodlawn Road, Butler, Pennsylvania

Plaintiffs,

V.

AK Steel Corporation (Formerly ARMCO Inc.)  
Retirement Accumulation Pension Plan, a part  
of the AK Steel Corporation (Formerly  
ARMCO Inc.) Noncontributory Pension Plan,  
703 Curtis Street, Middletown, Ohio 45043

Case No.: C-1-02-0001

Judge: Hon. Sandra S. Beckwith

And

AK Steel Corporation Benefit Plans )  
Administrative Committee, )  
703 Curtis Street, Middletown, Ohio 45043 )

Magistrate Judge: Timothy S. Black

**Defendants.**

**DEFENDANTS' UNOPPOSED MOTION FOR PERMISSION  
TO FILE UN-REDACTED DECLARATION UNDER SEAL**

Defendants' dispositive motions on the issue of damages are due on December 1, 2004. Defendants anticipate filing a dispositive motion on that date that will be supported by a Declaration of Lawrence Sher and attachments thereto setting forth individual damages calculations for each class member.

The parties previously agreed that they would seek to file under seal any documents that reveal the size of the lump sum benefit paid to any class member, or the amount of any alleged underpayment to any class member under the whipsaw calculation. In addition, the Court entered a Stipulated Protective Order on August 20, 2002 providing that such documentation could be treated as confidential. Pursuant to that agreement and the Stipulated

Protective Order, defendants hereby move the Court for leave to file an unredacted version of the Sher Declaration under seal. *See* S.D. Ohio Civ. R. 79.3. Defendants anticipate filing a redacted version of the Declaration in the public record contemporaneously with the filing of their dispositive motion.

Respectfully submitted,

s/Andrew R. Kaake

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November 24, 2004

**CERTIFICATE OF SERVICE**

I hereby certify that on November 24, 2004, the foregoing Defendant's Unopposed Motion to File Unredacted Declaration Under Seal was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system and copies will be mailed via U.S. Mail to those parties who are not served via the Court's electronic filing system. Parties may access this filing through the Court's system.

s/Andrew R. Kaake